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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Argentina, Australia, Austria, Belgium, Bolivia, Canada, Chile, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Liechtenstein, Lithuania, Malta, Mexico, Monaco, Netherlands, Nigeria, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, South Africa, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland: draft resolution

Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world, for reasons including armed conflict, violations of human rights and natural or human-made disasters, who receive inadequate protection and assistance, and conscious of the serious challenges that this is creating for the international community,

Recognizing the significant number of persons who have become internally displaced owing to natural disasters over the course of the past twelve months,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons, including those who are in situations of protracted displacement, and the responsibilities of States and the international community to strengthen further their protection and assistance,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction as well as to address the root causes of the displacement problem in cooperation with the international community,

Noting the growing awareness of the international community of the issue of internally displaced persons worldwide and the urgency of addressing the root

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causes of their displacement and finding durable solutions, including voluntary return in safety and with dignity, or local integration,

Recalling the relevant norms of international human rights law, international humanitarian law and international refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[1]

Emphasizing the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, and welcoming the continued initiatives taken in order to ensure better protection, assistance and development strategies for internally displaced persons, as well as better coordination of activities regarding them,

Commending the Representative of the Secretary-General on the human rights of internally displaced persons for the activities undertaken so far, for the catalytic role that he plays in raising the level of consciousness about the plight of internally displaced persons and his efforts to promote a comprehensive strategy that focuses on prevention as well as better protection and assistance and addressing the specific needs of internally displaced persons, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system,

Taking note of Commission on Human Rights resolution 2005/46 of 19 April 2005[2] and recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[3] regarding the need to develop global strategies to address the problem of internal displacement,

Deploring practices of forced displacement and their negative consequences for the enjoyment of human rights and fundamental freedoms by large groups of populations, and noting that the Rome Statute of the International Criminal Court[4] defines the deportation or forcible transfer of population as a crime against humanity and the unlawful deportation or transfer of the civilian population, as well as ordering the displacement of the civilian population, as war crimes,

Welcoming the increasing dissemination, promotion and application of the Guiding Principles on Internal Displacement when dealing with situations of internal displacement,

Welcoming the cooperation established between the new Representative of the Secretary-General and the United Nations and other international and regional organizations, in particular his participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies, as well as the memorandum of understanding with the Inter-Agency Internal Displacement Division within the Office for the Coordination of Humanitarian Affairs of the Secretariat and the Global IDP Project of the Norwegian Refugee Council,

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[1] E/CN.4/1998/53/Add.2, annex.

[2] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23 (Part I)), chap. II, sect. A.

[3] A/CONF.157/24 (Part I), chap. III.

[4] *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: *Final Documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

Taking note of the efforts currently under way by the United Nations humanitarian system, in keeping with a collaborative approach, to strengthen its response capacity to meet the protection and assistance needs of internally displaced persons,

Acknowledging with appreciation the important and independent contribution of the International Red Cross and Red Crescent Movement and other humanitarian agencies in protecting and assisting internally displace persons, in cooperation with relevant international bodies,

Recalling its resolution 58/177 of 22 December 2003,

1. *Welcomes* the appointment of the new Representative of the Secretary-General on the human rights of internally displaced persons;

2. *Welcomes also* the report of the Representative of the Secretary-General,[5] and takes note of his conclusions and recommendations;

3. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

4. *Encourages* the Representative of the Secretary-General, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue his analysis of the causes of internal displacement, the needs and rights of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for internally displaced persons, taking into account specific situations, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

5. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment and abduction, and welcomes the commitment of the Representative of the Secretary-General to pay more systematic and in-depth attention to their particular assistance, protection and development needs, as well as to other groups with special needs, such as severely traumatized individuals, older persons and persons with disabilities, taking into account the relevant resolutions of the General Assembly and bearing in mind Security Council resolution 1325 (2000) of 31 October 2000;

6. *Notes with appreciation* the increasing role of national human rights institutions in monitoring the situation of internally displaced persons and in assisting them, and in promoting and protecting their human rights;

7. *Notes* the importance of taking the human rights and the specific protection and assistance needs of internally displaced persons into consideration, when appropriate, in peace processes and reintegration and rehabilitation processes;

8. *Recognizes* the Guiding Principles on Internal Displacement[1] as an important international framework for the protection of internally displaced persons, welcomes the fact that an increasing number of States, United Nations agencies and

[5] A/60/338.

regional and non-governmental organizations are applying them as a standard, and encourages all relevant actors to make use of the Guiding Principles when dealing with situations of internal displacement;

9. *Welcomes* the fact that the Representative of the Secretary-General continues to use the Guiding Principles in his dialogue with Governments and intergovernmental and non-governmental organizations and other relevant actors, and requests him to continue his efforts to further the dissemination, promotion and application of the Guiding Principles and to encourage their incorporation into national legislation and policies;

10. *Urges* all Governments to continue to facilitate the activities of the Representative of the Secretary-General, in particular Governments with situations of internal displacement, and to give serious consideration to inviting the Representative to visit their countries so as to enable him to advise Governments in addressing situations of internal displacement, and thanks those Governments that have already done so;

11. *Invites* Governments to give serious consideration, in dialogue with the Representative of the Secretary-General, to the recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

12. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations in these respects, including by further improving access to internally displaced persons;

13. *Emphasizes* the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons and notes with appreciation the work of the Inter-Agency Internal Displacement Division within the Office for the Coordination of Humanitarian Affairs of the Secretariat;

14. *Also emphasizes* the need to strengthen further inter-agency arrangements and the capacities of the United Nations agencies and other relevant actors to meet the immense humanitarian challenges of internal displacement, and underlines in this regard the importance of an effective, accountable and predictable collaborative approach;

15. *Encourages* all relevant United Nations agencies and humanitarian assistance, human rights and development organizations to enhance their collaboration and coordination, through the Inter-Agency Standing Committee and in countries with situations of internal displacement, and to provide all possible assistance and support to the Representative of the Secretary-General;

16. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in the consolidated inter-agency appeals process, and encourages further efforts in this regard;

17. *Also notes with appreciation* the establishment of the global database on internally displaced persons at the request of the Inter-Agency Standing Committee and the support it provides to the Emergency Relief Coordinator and the Representative of the Secretary-General on the human rights of internally displaced

persons in carrying out their respective mandates, as well as to Governments and to the members of the Standing Committee, and encourages the members of the Standing Committee and Governments to continue to collaborate and support this effort, including by providing relevant data on situations of internal displacement and financial resources;

18. *Welcomes* the initiatives undertaken by regional organizations, such as the African Union, the Organization of American States, the Organization for Security and Cooperation in Europe, the Intergovernmental Authority on Development, the Council of Europe, the Commonwealth and the Economic Community of West African States, to address the protection, assistance and development needs of internally displaced persons, and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

19. *Requests* the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative to continue to seek the contributions of States, relevant organizations and institutions in order to create a more stable basis for his work;

20. *Requests* the Representative of the Secretary-General to prepare, for consideration by the General Assembly at its sixty-second session, a report on the implementation of the present resolution;

21. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its sixty-second session.